



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.09.2016

CORAM:

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU

AND

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P.[MD].No.18043 of 2016

R.P.S.Kartheesan

:Petitioner

Vs.

1.The Secretary,
Hindu Religious and Charitable
Endowment Department,
Secretariat, St. George Fort,
Chennai-9.

2.The Commissioner,
Hindu Religious and Charitable
Endowment Department,
Numgambakkam,
Chennai-34.

3.The Joint Commissioner,
Hindu Religious and Charitable
Endowment Department,
Thiruvananthapuram Road, Tirunelveli.

4.The Assistant Commissioner,
Hindu Religious and Charitable
Endowment Department,
Samanathapuram,
Tirunelveli.

5.Radhakrishnan

:Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 4 herein to consider the representation of the petitioner dated 03.06.2016 for the appointment of Executive Officer, Sri Suyambulingha Swamy Temple and consequently, take legal action as against the fifth respondent herein, within a time frame fixed by this Court.

For Petitioner : Mr.J.C.Rathnavel Pandian

For Respondents 1to4 : Mr.Aayiram K.Selvakumar,
Government Advocate



O R D E R

[Order of the Court was made by S.NAGAMUTHU, J.]

The petitioner, under the guise of a Public Interest Litigation, has come up with this Writ Petition, seeking a direction to the respondents 1 to 4 to consider his representation dated 03.06.2016 and to appoint an Executive Officer for Sri Suyambulingha Swamy Temple, Uvari, Tirunelveli District, and consequently, to take legal action against the fifth respondent, namely, the Hereditary Trustee of the said Temple.

2. This Writ Petition has come up today for admission. We have heard the learned counsel appearing for the petitioner and Mr.Aayiram K.Selvakumar, learned Government Advocate, taking notice on behalf of the respondents 1 to 4. We do not order notice to the fifth respondent, in view of the nature of the order that has to be passed in this Writ Petition.

3. A perusal of the records and from the submissions made by the learned counsel for the petitioner, it is crystal clear that there is no public interest involved at all in this Writ Petition. There is no material, as of now, to show that the fifth respondent is suffering from any misconduct. Assuming that the fifth respondent has committed any irregularity, it is for the petitioner to work out his remedy before the authority competent under the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959. Since we find that there is no public interest involved at all in this matter and since the remedy lies elsewhere, we are unable to entertain this Writ Petition. The Writ Petition is, accordingly, dismissed. No costs.

Sd/-

Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar(CS)

Madurai Bench of Madras High Court,
Madurai-23.

To

1.The Secretary,
Hindu Religious and Charitable Endowment Department,
Secretariat, St. George Fort, Chennai-9.

2.The Commissioner,
Hindu Religious and Charitable Endowment Department,
Numgambakkam, Chennai-34.

3.The Joint Commissioner,
<https://hcservices.ecourts.gov.in/hcservices/>
Hindu Religious and Charitable Endowment Department,
Thiruvananthapuram Road, Tirunelveli.



4.The Assistant Commissioner,
Hindu Religious and Charitable
Endowment Department, Samanathapuram,
Tirunelveli.

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+1cc to M/s.J.C.Rathanvel Pandian, Advocate in SR.54560

+1cc to the Special Government Pleader, in SR.55182

ORDER MADE IN
W.P.[MD].No.18043 of 2016
Dated: 21.09.2016

sml

PBK/SK-SKN 29/09/2016 ::3P-7C: